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IN THE COURT OF APPEAL OF THE STATE OF CALIFORNIA

FOURTH APPELLATE DISTRICT

DIVISION TWO

THE PEOPLE,

Plaintiff and Respondent,

v.

LUIS JULIO CENTENO,

Defendant and Appellant.

E048277

(Super.Ct.No. FWV803231)

OPINION

APPEAL from the Superior Court of San Bernardino County. Raymond L. Haight
III, Judge. Affirmed.

Helen S. Irza, under appointment by the Court of Appeal, for Defendant and
Appellant.

No appearance for Plaintiff and Respondent.

Defendant and appellant Luis Julio Centeno appeals a jury conviction for
receiving a stolen trailer. (Pen. Code, § 496d, subd. (a).) We affirm.

FACTUAL AND PROCEDURAL BACKGROUND

At defendant's trial, the victim, a carpenter, testified he parked his 20-foot white trailer, which he used to store his woodworking tools, at a friend's home on October 8, 2008. During the early morning hours of October 9, 2008, the friend heard a noise outside and then discovered the trailer was not there. The victim's friend called police and the victim to let them know the trailer was missing. The victim testified that when the trailer was recovered his tools were no longer inside and there was damage to the trailer. For example, the side door was broken, one of the locks was missing, and another lock had been damaged.

On October 22, 2008, a sheriff's deputy was dispatched to a residence to investigate a report of a stolen trailer. The victim's trailer was found parked in the driveway of defendant's residence with damage to the doors, locks and latches. The deputy spoke to nearby residents to find out how long the trailer had been parked there.

On October 23, 2008, the deputy went back to the residence and spoke with defendant and his wife. Defendant told the deputy he purchased the trailer from an unknown Hispanic male for \$2,500 in cash. Defendant indicated he purchased the trailer on Sunday, October 19, but the deputy told defendant he had talked to neighbors who said the trailer was there as early as October 10. Defendant then said he must have purchased it on Sunday, October 12. Defendant told the deputy he did not have keys to the door locks, a receipt, or any other paperwork documenting the sale. Nor did he have any specific information about or contact information for the individual who sold him the

trailer. The deputy discovered during his investigation that defendant previously lived a short distance away from where the trailer was stolen.

Defendant testified he has been a cabinet installer for 15 years. He purchased the trailer on October 19, 2008, and this was the first time he had ever purchased a trailer. There was nothing about the seller that caused him to be suspicious. The seller said he did not have the keys to the trailer because he left them in his cabinet shop and they had been confiscated when the shop was closed for failure to pay the rent. The seller also told defendant he would not need any documentation for registration purposes because, "It's not a motor vehicle. It's just a trailer." Defendant said his home was searched, but no tools associated with the trailer were found there. Defendant admitted he was convicted of evading a police officer in 1995 when he was 18 years old.

On March 10, 2009, a jury found defendant guilty of receiving stolen property in violation of Penal Code section 496d, subdivision (a). On April 8, 2009, the court granted defendant supervised probation for a period of 36 months, subject to various terms and conditions, including 180 days in county jail.

The victim submitted a detailed, written request for restitution in the amount of \$14,233, including \$9,033 for the tools missing from inside the trailer, \$200 for towing fees, and \$5,000 to repair damage to the trailer. Defendant opposed any restitution for losses not causally related to his conviction for receiving the stolen trailer, such as the victim's missing tools, since there was no showing he ever possessed any of them. On June 5, 2009, the court held a restitution hearing, but the victim did not appear because he was unable to miss work. The court ordered defendant to pay \$500 in victim restitution,

which included \$300 in out-of-pocket expenses to fix some of the damage to the outside of the trailer and \$200 to cover towing fees.

DISCUSSION

On May 1, 2009, defendant filed a notice of appeal. We appointed counsel to represent defendant on appeal. Appointed counsel on appeal has filed a brief under *People v. Wende* (1979) 25 Cal.3d 436 and *Anders v. California* (1967) 386 U.S. 738, setting forth the facts and procedural history, raising no specific issues, and requesting this court to conduct an independent review of the record. We granted defendant an extension of time until February 4, 2010, to file a supplemental brief, but defendant failed to file any briefing on or before the deadline. We have now concluded our independent review of the record and find no arguable issues.

DISPOSITION

The judgment is affirmed.

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RAMIREZ

P. J.

We concur:

HOLLENHORST

J.

KING

J.